
VIA FACSIMILE

May 7, 2004

International Preliminary Examining Authority
European Patent Office
D-80298 Munich
GERMANY

Dear Sir/Madam:

Re: PCT APPLICATION Number PCT/CA03/00981
Title: Method of Manufacturing Continuous Sucker Rod
Inventor: David Labonte, Ricky Gereluk
Applicant: Weatherford Canada Partnerships
Our Ref: 03-005-003

We have received the Written Opinion dated March 2, 2004.

The Applicant requests an extension of time to respond to this opinion to today's date. In the alternative, the Applicant requests an additional opportunity to make submissions to the Examiner in accordance with Rule 66.4 *bis*.

The Examiner has considered the International Search Report and has made the preliminary statement that in light of the documents cited therein, the patent does not appear to be novel and/or to involve an inventive step.

With respect, the Applicant disagrees with this conclusion.

The International Search Report identifies seven (7) references in Box "C". With respect, it is the Applicant's opinion that none of these references affect the patentability of the invention disclosed in the Application.

Reference #1 – Palynchuk, U.S. 3,923,469

This reference has been identified as a potential obstacle to patentability. However, with respect, the Applicant argues that this is not so.

Palynchuk claims a new continuous sucker rod and describes in the disclosure a method of making such continuous rod – that is a length of steel being the range of 1000's of feet with sufficient characteristics to withstand use in an oil well.

This Invention relates to a new method of making this continuous sucker rod. In Palynchuk, standard, soft, mill coils are obtained and joined together to form one

continuous length. The welded areas are treated to remove any damage done during welding. After welding, the entire length of rod must be then treated. This involves straightening the entire length of rod, subjecting it to a number of treatments and then coiling it up again for delivery to the customer. The treatments that take place are necessary to provide the required characteristics for the conditions of use. These treatments are expensive and time-consuming. As well, due to the lengths of the rod involved (1000's of feet), the plants in which these treatments are conducted must be extremely long in order to accommodate the post-joining treatment steps, requiring significant capital investment in the plants. The treatments are necessary to convert the characteristics of the steel in the standard mill coils, which are not suitable for the purposes of use of continuous sucker rod, to characteristics of the steel that are suitable.

In this Invention, the post-joining treatment steps are eliminated to greatly reduce costs. Instead of simply obtaining a standard grade, rough, soft run-of-the mill coil from the mill, as is done with the traditional method of making continuous sucker rod, the selection of the mill coils is specified with care. This typically would require some special treatment steps at the mill itself so that a specialized grade of mill coil material would be selected. As a result of this selection, the only steps that are required to be performed in the plant are the joining of the mill coils together. Post-joining treatment is limited to the short length of rod on each side of each weld and to addressing any undesirable changes in the rod caused during the welding process. As a result, the process of making the continuous sucker rod in accordance with this Invention is much less involved and require about 1/3 or less of the plant space, which greatly reduces costs.

Therefore, in our view, there is a significant and patentable distinction between the process described in Palynchuk and the process in this Application.

Reference #2 – Widney et al, U.S. 6,481,082

Widney discloses an entirely different process of constructing a continuous length of sucker rod. Instead of making one very long length of coil from a series of smaller lengths of coils (300'-400') and then treating the continuous length of coil in a large plant created for the purpose, the Widney reference discloses making a large number of straight rods, 40' in length, and taking them to the field where they are welded at the well site.

Thus Widney does not contemplate selecting a mill coil with specialized characteristics, as it contemplates straight rods. The primary drawbacks to the Widney process are the necessity for a much greater number of welds in the continuous rod, each a potential source of failure and difficulty, and the difficulty of conducting the welding in field conditions.

In contrast, the present Invention contemplates only a few, in the range of 4-10 welded points, depending on the length of the mill coils and the overall desired length of the completed continuous rod and the welding process takes place inside, not at the well site.

Therefore, in our view, there is a significant and patentable distinction between the process described in Widney and the process in this Application.

Reference #3 – XP-002255400

There are two types of sucker rod – conventional sucker rod and continuous sucker rod. Conventional sucker rod consists of 20' to 30' in length with coupling means, sometimes referred to as a "head", at each end.

Reference #3 appears to relate to a method of making conventional sucker rod, which must deal with challenges distinct from those encountered when making continuous sucker rod. Reference #3 is therefore not relevant to the patentability of this Invention.

References #4, 5 and 6

These references were cited in the International Search Report as general, background information and as such are not relevant to patentability of this Invention.

Conclusion

We request that the Examiner reconsider the relevancy of the above references in light of these arguments and issue a second written opinion for comment prior to the preparation of the formal Preliminary Examination Report.

Yours very truly,


KIMBERLY L. TOWNLEY-SMITH